

**THURSDAY, MARCH 6, 1997**  
**FOURTEENTH LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rep. Ridgeway.

Representative Ridgeway led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 99

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 28:** Rep(s). Kent, Hassell and Hargett as prime sponsor(s).

**House Bill No. 9:** Rep(s). Langster as prime sponsor(s).

**House Bill No. 396:** Rep(s). Pleasant and Hargett as prime sponsor(s).

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**House Bill No. 537:** Rep(s). White, Sands, Fitzhugh, Maddox, McMillan and Robinson as prime sponsor(s).

**House Bill No. 961:** Rep(s). Fraley, Tidwell, Caldwell, Sands, Arriola and Lewis as prime sponsor(s).

**House Bill No. 975:** Rep(s). Boner as prime sponsor(s).

**House Bill No. 1275:** Rep(s). Maddox as prime sponsor(s).

**REPORT OF CHIEF ENGROSSING CLERK  
March 4, 1997**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 18.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
March 4, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 78, 83, 91, 93, 98, 99, 102, 264, 287, 500, 1010 and 1434; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Bill No. 78** -- Sunset Laws - Board of employee assistance professionals, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 42. by \*Springer.

**Senate Bill No. 83** -- Sunset Laws - Domestic violence state coordinating council, June 30, 1999. Amends TCA Title 4, Chapter 29 and Title 38, Chapter 12. by \*Springer, \*Dixon.

**Senate Bill No. 91** -- Sunset Laws - Archaeological advisory council, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 6. by \*Springer, \*Dixon.

**Senate Bill No. 93** -- Sunset Laws - Terminates medical care advisory committee. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by

**Senate Bill No. 98** -- Sunset Laws - Terminates TennCare program cost savings suggestion award board. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by \*Springer.

**Senate Bill No. 99** -- Sunset Laws - Board of medical examiners' committee on physician assistants, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 19. by \*Springer, \*Dixon.

**Senate Bill No. 102** -- Sunset Laws - Occupational safety and health administration labor advisory council, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 3. by \*Springer, \*Dixon.

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**\*Senate Bill No. 264** -- Municipal Government - Refines appointment, confirmation, and management powers for mayor in mayor-aldermanic form of local government. Amends TCA Title 6, Chapter 3. by \*Womack.

**Senate Bill No. 287** -- Loan Companies - Excludes from definition of "investment certificate" promissory note issued by company to officer or director. Amends TCA Section 45-5-102(10). by \*Cooper.

**\*Senate Bill No. 500** -- Traffic Safety - Authorizes youth buses of certain organizations to stop traffic while transporting children. Amends TCA Title 55, Chapter 8. by \*Atchley, \*McNally, \*Gilbert, \*Crowe.

**\*Senate Bill No. 1010** -- Highways, Roads and Bridges - Directs department of transportation to implement directional signing program for wildlife management areas, wildlife refuges and state lakes. Amends TCA Title 54, Chapter 5, Part 7. by \*Gilbert, \*Dixon, \*Williams.

**Senate Bill No. 1434** -- Highway Signs - "Bill Leech Memorial Highway," S.R. 7 from Columbia city limits to Maury-Hickman County line; "Charlie Skillington Memorial Bridge," Snow Creek on S.R. 7, Maury County. by \*Jordan, \*Crutchfield, \*Haynes, \*Henry, \*Springer, \*Wilder.

**MESSAGE FROM THE SENATE**

**March 4, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 50; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Joint Resolution No. 50** -- General Assembly, Confirmation of Appointment - G.L. Teague, Tennessee Wildlife Resources Agency. by \*Atchley.

**SIGNED**

**March 4, 1997**

The Speaker signed the following: Senate Bill(s) No(s). 956; also, Senate Joint Resolution(s) No(s). 48, 74 and 78.

**MESSAGE FROM THE SENATE**

**March 5, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 81, 82, 86, 89, 100, 309 and 978; also, Senate Joint Resolution(s) No(s). 63, 65, 66, 68, 69, 70, 71, 73, 75 and 76 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 5, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 65, 66, 67, 68, 69, 71, 75, 76, 78, 79, 80, 81 and 82; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 5, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 79, 80, 87; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 79** -- Memorials, Professional Achievement - Dr. John Hodge Jones, runner-up, National Superintendent of the Year. by \*Womack.

**Senate Joint Resolution No. 80** -- Memorials, Death - Durrell Roberts. by \*Wilder, \*Crutchfield, \*McNally, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 87** -- Memorials, Personal Occasion - Mr. and Mrs. Homer Chance, 50th wedding anniversary. by \*Haynes.

**MESSAGE FROM THE GOVERNOR**

**March 5, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 355, 398, 465, 470, 491, 492, 523 and 524, also, House Joint Resolution(s) No(s). 18, 38, 39, 47, 50, 51, 55, 56, 57, 58, 59 and 62; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**March 6, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 91; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 91** -- Memorials, Professional Achievement - Smyrna Jaycees, 25th anniversary. by \*Womack, \*Cooper, \*Davis L.

### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Joint Resolution No. 90** -- Naming and Designating - "Shriners' Week in Tennessee," May 12-18, 1997. by \*Westmoreland.

State & Local Government Committee

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 10, 1997:

**House Resolution No. 28** -- Memorials, Professional Achievement - Frank Bluestein, 1996 Performing Arts Teacher of the Year. by \*Scroggs, \*Kent, \*Hargett, \*Hassell.

**House Resolution No. 33** -- Memorials, Personal Occasion - Alvin Merritt, 60th birthday. by \*Goins.

**House Joint Resolution No. 88** -- Memorials, Sports - Bartlett High School varsity cheerleaders. by \*Hargett, \*Pleasant.

**House Joint Resolution No. 89** -- Memorials, Personal Occasion - Rufus Thomas, Jr., eightieth birthday. by \*DeBerry L.

**House Joint Resolution No. 94** -- Memorials, Academic Achievement - 1997 All-Tennessee Academic Team. by \*Cole (Dyer).

**House Joint Resolution No. 95** -- Memorials, Recognition and Thanks - Sandy Bryer. by \*West.

**House Joint Resolution No. 96** -- Memorials, Sports - Ryan McSwain, Donelson Christian Academy lineman. by \*West.

**House Joint Resolution No. 97** -- Memorials, Sports - 1996 Donelson Christian Academy football team, TSSAA Class A state champion. by \*West.

**House Joint Resolution No. 98** -- Memorials, Sports - Jeremy Lyons, TSSAA Class A "Mr. Football.". by \*West.

**House Joint Resolution No. 99** -- Memorials, Sports - Donelson Christian Academy cheerleaders. by \*West.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 10, 1997:

**Senate Joint Resolution No. 79** -- Memorials, Professional Achievement - Dr. John Hodge Jones, runner-up, National Superintendent of the Year. by \*Womack.

**Senate Joint Resolution No. 80** -- Memorials, Death - Durrell Roberts. by \*Wilder, \*Crutchfield, \*McNally, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 87** -- Memorials, Personal Occasion - Mr. and Mrs. Homer Chance, 50th wedding anniversary. by \*Haynes.

**Senate Joint Resolution No. 91** -- Memorials, Professional Achievement - Smyrna Jaycees, 25th anniversary. by \*Womack, \*Cooper, \*Davis L.

**RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 50** -- General Assembly, Confirmation of Appointment - G.L. Teague, Tennessee Wildlife Resources Agency. by \*Atchley.

Conservation & Environment Committee

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1940** -- Centerville - Subject to local approval, revises charter. Chapter 482 of the Private Acts of 1911. by \*Jackson.

**House Bill No. 1941** -- Hardeman County - Subject to local approval, increases limit of purchases for county purposes from \$2,000 to state purchase limit of \$5,000 without approval of county purchasing agent; creates automatic adjustment of future county purchase limits to coincide with state bid limit increases. Amends Chapter 90 of the Private Acts of 1989. by \*Walley, \*Fitzhugh.

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**House Bill No. 1942** -- Athens - Reduces terms of school board members from six to four years. Amends Chapter 455 of the Private Acts of 1953; as amended. by \*McKee.

**DELAYED BILLS REFERRED**

**March 5, 1997**

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1943 and 1944, was/were referred to the Delayed Bills Committee.

**House Bill No. 1943** -- Firearms and Ammunition - Permits handgun applicant to post a \$50,000 bond with department of safety and in so doing waive background check requirement, permit to be issued directly by department. Amends TCA Section 39-17-1351. by \*Hargrove.

**House Bill No. 1944** -- Real Estate Agents and Brokers - Authorizes brokers and affiliate brokers to register contract or memorandum for payment of commissions for sale or lease of commercial property. Amends TCA Title 62, Chapter 13, and Title 66. by \*Hargrove.

**DELAYED BILLS REFERRED**

**March 6, 1997**

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1945, was/were referred to the Delayed Bills Committee.

**\*House Bill No. 1945** -- Utilities, Utility Districts - Establishes separate water and natural gas utility districts for Unicoi County. Amends TCA Section 7-82-307. by \*Whitson.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**Senate Bill No. 78** -- Sunset Laws - Board of employee assistance professionals, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 42. by \*Springer. (\*HB 176)

**Senate Bill No. 83** -- Sunset Laws - Domestic violence state coordinating council, June 30, 1999. Amends TCA Title 4, Chapter 29 and Title 38, Chapter 12. by \*Springer, \*Dixon. (\*HB 180)

**Senate Bill No. 91** -- Sunset Laws - Archaeological advisory council, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 6. by \*Springer, \*Dixon. (\*HB 188)

**Senate Bill No. 93** -- Sunset Laws - Terminates medical care advisory committee. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by \*Springer. (\*HB 190)

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**Senate Bill No. 98** -- Sunset Laws - Terminates TennCare program cost savings suggestion award board. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by \*Springer. (\*HB 194)

**Senate Bill No. 99** -- Sunset Laws - Board of medical examiners' committee on physician assistants, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 19. by \*Springer, \*Dixon. (\*HB 195)

**Senate Bill No. 102** -- Sunset Laws - Occupational safety and health administration labor advisory council, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 3. by \*Springer, \*Dixon. (\*HB 198)

**\*Senate Bill No. 264** -- Municipal Government - Refines appointment, confirmation, and management powers for mayor in mayor-aldermanic form of local government. Amends TCA Title 6, Chapter 3. by \*Womack. (HB 430)

**Senate Bill No. 287** -- Loan Companies - Excludes from definition of "investment certificate" promissory note issued by company to officer or director. Amends TCA Section 45-102(10). by \*Cooper. (\*HB 270)

**\*Senate Bill No. 500** -- Traffic Safety - Authorizes youth buses of certain organizations to stop traffic while transporting children. Amends TCA Title 55, Chapter 8. by \*Atchley, \*McNally, \*Gilbert, \*Crowe. (HB 889)

**\*Senate Bill No. 1010** -- Highways, Roads and Bridges - Directs department of transportation to implement directional signing program for wildlife management areas, wildlife refuges and state lakes. Amends TCA Title 54, Chapter 5, Part 7. by \*Gilbert, \*Dixon, \*Williams. (HB 1349)

**Senate Bill No. 1434** -- Highway Signs - "Bill Leech Memorial Highway," S.R. 7 from Columbia city limits to Maury-Hickman County line; "Charlie Skillington Memorial Bridge," Snow Creek on S.R. 7, Maury County. by \*Jordan, \*Crutchfield, \*Haynes, \*Henry, \*Springer, \*Wilder. (\*HB 706)

## REPORTS FROM STANDING COMMITTEES

The committees that met on **March 4, 1997**, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 6, 1997**: House Bill(s) No(s). 270, 602, 537, 680 and 359.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 10, 1997**: House Bill(s) No(s). 376.



**COMMERCE**

The Commerce Committee recommends for passage: House Bill(s) No(s). 967 and 459, House Joint Resolution(s) No(s). 52 and 61; also House Bill(s) No(s). 796 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**EDUCATION**

The Education Committee recommended for passage: House Bill(s) No(s). 401, 400 and 879. Under the rules, each was transmitted to the Calendar and Rules Committee.

**FINANCE, WAYS AND MEANS**

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1159 and 167. Under the rules, each was transmitted to the Calendar and Rules Committee.

**GOVERNMENT OPERATIONS**

The Government Operations Committee recommended for passage: House Bill(s) No(s). 176, 195, 190, 177, 187, 188 and 175. Under the rules, each was transmitted to the Calendar and Rules Committee.

After review, it further recommended that House Bill(s) No(s). 889 with amendment(s) be referred to the Transportation Committee, House Bill(s) No(s). 407 be referred to the Conservation & Environment Committee and House Bill(s) No(s). 408 be referred to the Commerce Committee.

**HEALTH AND HUMAN RESOURCES**

The Health and Human Resources Committee recommended for passage: House Resolution(s) No(s). 19. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 276 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**STATE AND LOCAL GOVERNMENT**

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 835, 417, 441, 545, 718, 968 and 255, also House Bill(s) No(s). 531, 848 and 339 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

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It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 201 and 953. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 5, 1997**, reported the following:

#### **COMMITTEE ON CALENDAR AND RULES**

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 10, 1997**: House Bill(s) No(s).344, 31, 285, 406 and 924.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 10, 1997**: House Bill(s) No(s). 252, 404, 454; also House Joint Resolution(s) No(s).24.

#### **CHILDREN & FAMILY AFFAIRS**

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 711 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

#### **CONSUMER AND EMPLOYEE AFFAIRS**

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 849 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### **JUDICIARY**

The Judiciary Committee recommended for passage: House Bill(s) No(s). 603, 825 and 717, also House Bill(s) No(s). 15 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### **TRANSPORTATION**

The Transportation Committee recommended for passage: House Bill(s) No(s). 568, 547, 49, 1330 and Senate Joint Resolution(s) No(s). 12; also House Bill(s) No(s). 706, 627, 650 and 57 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1349 and 442 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **March 6, 1997**, reported the following:

**COMMITTEE ON CALENDAR AND RULES**

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 6, 1997**: House Bill(s) No(s). 459, 796, 176, 175, 188, 187, 177, 190 and 195.

**CAPTION BILLS REFERRED**

**March 4, 1997**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 699, 973 and 1220 held on the Clerk's desk were referred to the following Committee(s):

**House Bill No. 699** -- Business and Commerce -- House Commerce Committee

**House Bill No. 973** -- Firefighters -- House State & Local Government Committee

**House Bill No. 1220** -- Bond Issues -- House Finance, Ways & Means Committee

**CAPTION BILLS REFERRED**

**March 5, 1997**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 268, 269, 682, 1025, 1081, 1133, 1518 and 1849 held on the Clerk's desk were referred to the following Committees

**\*House Bill No. 268** -- Railroads -- House Transportation Committee

**\*House Bill No. 269** -- Regional Authorities -- House Transportation Committee

**\*House Bill No. 682** -- Taxes, Hotel Motel -- House State & Local Government Committee

**House Bill No. 902** -- Criminal Offenses -- House Agriculture Committee

**House Bill No. 1025** -- Public Property -- House State & Local Government Committee

**House Bill No. 1081** -- Air Pollution -- House Conservation & Environment Committee

**House Bill No. 1133** -- Annexation -- House State & Local Government Committee

**House Bill No. 1518** -- Civil Service -- House Transportation Committee

**\*House Bill No. 1849** -- Law Enforcement -- House Judiciary Committee

### CONSENT CALENDAR

**House Joint Resolution No. 86** -- Memorials, Recognition and Thanks - Senior African American Women and contributions to African American heritage, Mother's Day 1997. by \*DeBerry L.

**House Joint Resolution No. 87** -- Memorials, Professional Achievement - Linda Story, Assistant Principal of the Year. by \*Huskey, \*Roach.

**House Resolution No. 30** -- Memorials, Professional Achievement - Donna Miller, Teacher of the Year. by \*Huskey.

**House Resolution No. 31** -- Memorials, Professional Achievement - Fran Harmon, Sevier County Middle School Teacher of the Year. by \*Huskey.

**House Resolution No. 32** -- Memorials, Professional Achievement - Janet King, Sevier County Teacher of the Year. by \*Huskey.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Burchett, Caldwell, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

### REGULAR CALENDAR

**\*House Bill No. 270** -- Loan Companies - Excludes from definition of "investment certificate" promissory note issued by company to officer or director Amends TCA Section 45-5-102(10). by \*Rhinehart. (SB287 by \*Cooper)

On motion, House Bill No. 270 was made to conform with **Senate Bill No. 287**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that **Senate Bill No. 287** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 99  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**\*House Bill No. 602** -- Drugs - Adds gamma hydroxybutyric acid; sodium oxybate; and gamma hydroxybutyrate sodium to listing of Schedule IV controlled substances Amends TCA Title 39, Chapter 17, Part 4. by \*Rhinehart. (SB903 by \*McNally)

Rep. Rhinehart moved that **House Bill No. 602** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 99  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson,

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Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**House Bill No. 537** -- Civil Service - Establishes right of reassignment for career service employees who become part of executive service Amends TCA Section 8-30-208. by \*Hargrove, \*DeBerry L, \*Naifeh, \*Rinks, \*Williams (Williamson), \*Kisber, \*Pruitt, \*Armstrong, \*Arriola, \*McDonald, \*Ridgeway, \*Chumney, \*Bowers, \*Buck, \*Brooks, \*Jones U (Shelby), \*Sharp, \*Bone. (\*SB491 by \*Crutchfield)

Rep. Hargrove moved that House Bill No(s). 537 be reset for the Regular Calendar on Monday, March 10, 1997, which motion prevailed.

**\*House Bill No. 680** -- Motor Vehicles - Redefines "authorized emergency vehicle" to automatically include every rescue vehicle or emergency response vehicle owned and operated by state chartered rescue squad, lifesaving crew or member unit of Tennessee Association of Rescue Squads. Amends TCA Title 55, Chapter 8. by \*Givens, \*Davis R. (SB1246 by \*Williams)

Rep. Givens moved that **House Bill No. 680** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 99  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**House Bill No. 359** -- Election Laws - Requires person receiving nominating petition to sign dated receipt stating that person understands portions that must be completed. Amends TCA Section 2-5-102. by \*White, \*Fitzhugh. (\*SB210 by \*Springer)

Rep. White moved that **House Bill No. 359** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 99  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. Burchett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 93 out of order, which motion prevailed.

**House Joint Resolution No. 93** -- Memorials - Peyton Manning, University of Tennessee quarterback. by \*Burchett, \*Fitzhugh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Burchett, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes..... 99  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels,

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Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Williams moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 91 out of order, which motion prevailed.

**House Joint Resolution No. 91** -- Memorials, Congratulations - Sigma Phi Epsilon chapter at Middle Tennessee State University, twentieth anniversary. by \*Williams.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Williams, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Williams moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 92 out of order, which motion prevailed.

**House Joint Resolution No. 92** -- Memorials, Recognition and Thanks - Dr. James Allan "Doc" Wiseman. by \*Williams.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Williams, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Brooks moved that the rules be suspended for the purpose of introducing House Resolution No. 34 out of order, which motion prevailed.

**House Resolution No. 34** -- Naming and Designating - Jabril Muhammed Day - March 7, 1997. by \*Brooks.



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On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Brooks, the resolution was adopted.

A motion to reconsider was tabled.

### **BILLS WITHDRAWN**

On motion of Rep. Maddox, **House Bill No. 1031** was recalled from the Education Committee and withdrawn from the House.

On motion of Rep. Brooks, **House Bill No. 723** was recalled from the Judiciary Committee and withdrawn from the House.

### **SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 91:** Rep(s). Eckles and Hood as prime sponsor(s).

**House Joint Resolution No. 92:** Rep(s). Eckles and Hood as prime sponsor(s).

**House Joint Resolution No. 93:** Rep(s). Fitzhugh as prime sponsor(s).

**House Bill No. 481:** Rep(s). McDaniel as prime sponsor(s).

**House Bill No. 1051:** Rep(s). Robinson as prime sponsor(s).

**House Bill No. 1378:** Rep(s). Chumney as prime sponsor(s).

### **SPONSORS REMOVED**

On motion, Rep(s). J. DeBerry and U. Jones was/were removed as sponsor(s) of **House Bill No. 721**.

On motion, Rep(s). Burchett was/were removed as sponsor(s) of **House Bill No. 1051**.

### **ENROLLED BILLS**

**March 6, 1997**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 65, 66, 67, 68, 69, 71, 75, 76, 78, 79, 80, 81 and 82.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**March 6, 1997**

The Speaker signed the following: House Joint Resolution(s) No(s). 65, 66, 67, 68, 69, 71, 75, 76, 78, 79, 80, 81 and 82

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**March 6, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 306, 377, 1177 and 1260; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 306** -- Election Laws - Makes prohibition on attaching campaign materials to utility poles applicable statewide; present law limited to Polk, Monroe, Hawkins and Knox; and Davidson, Moore, Madison, Washington and Sullivan if county legislative body by 2/3 vote makes prohibition applicable in such county . Amends TCA Section 2-19-144. by \*Rochelle, \*Williams.

**Senate Bill No. 377** -- Pensions and Retirement Benefits - Allows members of general assembly to continue to receive retirement allowance while in office if such benefit based on service other than as member of general assembly. Amends TCA Section 8-36-808(a). by \*Atchley.

**\*Senate Bill No. 1177** -- Taxes, Ad Valorem - Revises procedures for property tax appeals; authorizes compensation for assessment appeals commission. Amends TCA Section 67-5-1008; Section 67-5-1327; Section 67-5-1328; Section 67-5-1412; Section 67-5-1501 and Section 67-5-1502. by \*Rochelle.

**Senate Bill No. 1260** -- Pensions and Retirement Benefits - Lowers service retirement age for state judges (Group 3); eliminates Group 4 early service retirement. Amends TCA Title 8, Chapter 25; Title 8, Chapters 34; 35 and 36. by \*Atchley.

**ENGROSSED BILLS**  
**March 6, 1997**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 359, 602 and 680, also, House Joint Resolution(s) No(s) 86, 87, 91, 92 and 93.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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**SIGNED  
March 6, 1997**

The Speaker signed the following: Senate Bill(s) No(s). 81, 82, 86, 89, 100, 309 and 978; also, Senate Joint Resolution(s) No(s). 63, 65, 66, 68, 69, 70, 71, 73, 75 and 76.

**ENROLLED BILLS  
March 6, 1997**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 30, 31, 32 and 34; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
March 6, 1997**

The Speaker signed the following: House Resolution(s) No(s). 30, 31, 32 and 34.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**CONSENT CALENDAR  
March 6, 1997**

The following local bills have been placed on the Consent Calendar for **March 10, 1997**: House Bill(s) No(s). 1436, 1864, 1879 and 1927.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 99

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

**THURSDAY, MARCH 6, 1997 -- FOURTEENTH LEGISLATIVE DAY**

**RECESS MOTION**

Rep. Hargrove moved that the House stand in recess until 5:00 p.m., Monday, March 10, 1997, which motion prevailed.